

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF MULTNOMAH

CANDICE LOGAN, an individual, and )	
SHANNON HEIDELBERG, an )	Case No.:
individual, )	
Plaintiffs, )	COMPLAINT FOR FALSE ARREST AND
v. )	DISCRIMINATION
WALMART INC., a Delaware )	
corporation, and JANE DOE, an )	NOT SUBJECT TO MANDATORY
individual, )	ARBITRATION
Defendants. )	PRAYER: \$55,000
	ORS 21.160(1)(c) - \$594
	JURY TRIAL DEMANDED

Plaintiffs demand a jury trial and allege:

1.

Defendant Walmart Inc. (hereinafter, "Walmart") is, and at all times mentioned herein, has been a Delaware corporation engaged in the retail sale of a wide variety of merchandise and goods, including at a store located at 4200 SE 82<sup>nd</sup> Ave, Portland, Oregon. Walmart conducts regular, sustained business activity in Multnomah County.

2.

Defendant Jane Doe is an employee of Walmart. At all times mentioned herein, Walmart had actual control or a right of control of Jane Doe and/or Jane Doe was an actual or apparent agent of Walmart. The conduct of Jane Doe was within the course and scope of her employment and/or agency of Walmart.

1 3.

2 On or about November 10, 2019, plaintiffs were customers at Walmart  
3 when multiple Walmart store employees and/or actual or apparent agents of  
4 Walmart, including defendant Jane Doe, who were then and there acting within  
5 the scope of their employment, followed plaintiffs to their car. Jane Doe told  
6 plaintiffs the police had been called on them and demanded plaintiffs return to  
7 the store. The plaintiffs returned to the store and were detained in the store.

8 4.

9 FOR A FIRST CLAIM FOR RELIEF FOR FALSE ARREST, plaintiffs allege:

10 5.

11 Plaintiffs reallege and incorporate by reference paragraphs 1-3, above.

12 6.

13 The above-described stop and detention was intentional, plaintiffs were  
14 aware of their detention, and the detention was unlawful.

15 7.

16 As a result of the above-described detention plaintiffs suffered, continue  
17 to suffer, and will in the future suffer from embarrassment, frustration, anger,  
18 humiliation and a sense of increased vulnerability, all to plaintiffs'  
19 noneconomic damages in the amount of \$13,750 each. This number is for  
20 jurisdictional purposes only.

21 FOR A SECOND CLAIM FOR RELIEF FOR DISCRIMINATION, plaintiffs  
22 allege:

23 8.

24 Plaintiffs reallege and incorporate by reference paragraphs 1-3, above.

25 //

9.

Plaintiffs are African American.

10.

The above-described Walmart store is, and at all times mentioned herein, has been a place of public accommodation within the meaning of ORS 659A.400. At least part of the motivation for the above-described conduct was the plaintiffs' race.

11.

The above-described conduct violates ORS 659A.403, which prohibits discrimination in places of public accommodation on account of race.

12.

As a result of the above-described discrimination, plaintiffs suffered, continue to suffer, and may permanently suffer from feelings of racial stigmatization, all to plaintiffs' noneconomic damages in the amount of \$13,750 each. This number is for jurisdictional purposes only.

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WHEREFORE, each plaintiff prays for judgment against defendants in the amount of \$27,500 each in noneconomic damages and for costs and disbursements necessarily incurred herein.

Dated: August 18, 2020.

/s/ Gregory Kafoury

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